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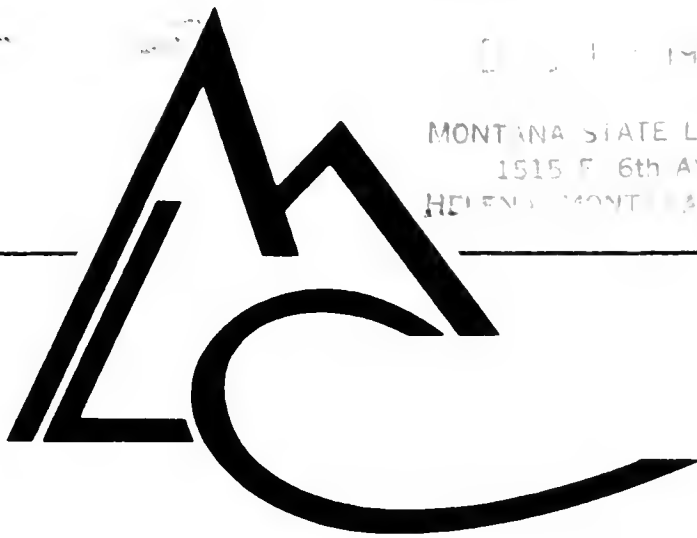
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***Montana Legislative Council***

**Sources of Information and Publications**

**Compiled By  
Sally Halverson  
Librarian**

**Published by  
Montana Legislative Council  
Room 138, State Capitol  
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**1984**



## **PREFACE**

The Montana Legislative Council provides information resources for legislators and other interested persons both during and after a legislative session. These resources are designed to help people locate legislation, vote totals, committee testimony, and codified statutes. Such tools include the telephone directory; bill status reports from drafting to final vote; subject indexes of proposed legislation; lists of code sections which could be affected by passage of legislation, etc.

This brochure provides a brief introduction to the various sources of information published by the Montana Legislative Council.

During the legislative session, the Legislative Information Office is open to help people with questions. This office is located in the rotunda of the capitol and a toll-free number, 1-800-332-3408, is provided for out-of-town inquires. The office provides access to computer terminals which contain the latest information on introduced bills. Persons should utilize the Legislative Information Office whenever possible during the session.

For more information on any part of this brochure, contact the Montana Legislative Council, Room 138, State Capitol, Helena, Montana 59620.

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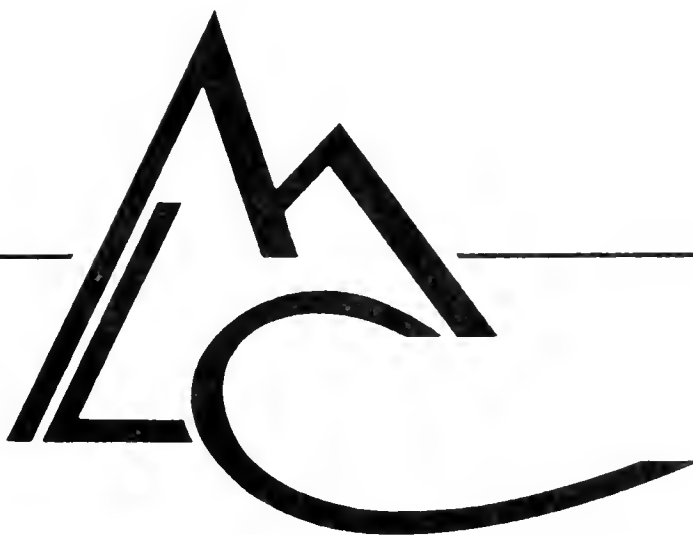
# INTRODUCTION TO THE MONTANA LEGISLATIVE COUNCIL

The functions of the Legislative Council are described in this brochure. Included are legislative membership, current council personnel, and a bibliography of all council research study reports from 1957 to the present. Rules of procedure, a list of former Chairmen and Vice-Chairmen, and interim operations are also detailed.

Copies may be obtained from the Legislative Council.

An Introduction to

## *THE MONTANA LEGISLATIVE COUNCIL*



SAMPLE

# RULES OF THE MONTANA LEGISLATURE

The Joint Rules, Senate Rules, House Rules, and an index to those rules are printed along with the Montana Constitution and its index in the Rules of the Montana Legislature. This book also gives a brief listing of deadlines and time limitations for the session with the corresponding rule number.

## JOINT RULES

---

### CHAPTER 3 Legislative Employees

3-1. The legislature shall prescribe the compensation of the employees of each house by joint resolution. Each house shall prescribe the duties of its officers and employees, and no payment shall be made from the state treasury, or be in any way authorized to any such person, except to an acting officer or employee elected or appointed in pursuance of law.

3-2. The Legislative Council shall be responsible for maintaining personnel files.

3-3. The committee on legislative administration of each house shall appoint a secretary for a standing or special committee on recommendation of the committee chairman, subject to the approval of the respective house. A secretary for a standing or special committee is immediately responsible to the committee chairman, but when not occupied with the duties of a committee, shall work under the direction of the chief stenographer of each house. The Legislative Council shall hire all



# TELEPHONE DIRECTORY

The Telephone Directory is published every session and is a very valuable pocket-sized information source. It contains the names of Senate and House members along with their political affiliation, district number, home address, Helena address, spouse's name, business occupation, and committee assignments. Also included in the directory are state officials and agencies; legislative committee meeting dates, with time and place; seating charts; order of business, and maps.

This directory is free and is available from the Legislative Information Office and the Legislative Council.

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# LEGISLATOR'S HANDBOOK

The Legislator's Handbook provides an overview of the operations of the legislature, legislative service agencies, and state government. Included are chapters on centralized services, legislative interns and aides, and lobbying and lobbyists. Procedures of standing committees, how a bill becomes law, and fiscal note requirements are also reviewed.

Copies of this publication are available from the Legislative Council.

## INTRODUCTION AND ACKNOWLEDGEMENTS

Montana's legislators, unlike those of some larger states, are still only part-time practitioners of the profession of government, although during the 90-day regular session they may feel their duties are never-ending. In the first week of January following election, the new legislators arrive at Helena to enter an environment probably unlike any they have known in their occupations or professions. The first reaction may be confusion and uncertainty about the procedures of lawmaking, about the organization in which lawmakers will function, about the vast network of state government activities of which they are members of the board of directors, and about the duties and capabilities of the full-time professionals and the temporary employees assembled to assist them.

This publication tries to dispel the confusion and to help the individual become an effective legislator.

A variety of organizations and businesses have customarily provided directories, handbooks, and souvenir publications containing information about telephone numbers, mailing addresses, committee assignments, and rosters of the House and Senate. This volume is not intended to duplicate or replace any of those publications.

This edition of A Legislator's Handbook presents authoritative information the legislator will need from the first day of the session and is the third published by the Legislative Council. The second edition was distributed to members of the 45th Legislature in 1977, but none was produced for the 1979, 1981, and 1983 sessions.

A considerable debt is acknowledged to my predecessors who wrote, edited, and compiled the earlier editions of A Legislator's Handbook. Their product is the starting point for this edition.

Lawmaking, however, is continually evolving in processes and methods. While the fundamental principles underlying American government are ageless, technologies and techniques reflect progress, and any compendium of advice to lawmakers that fails to acknowledge change is soon outdated. For that reason, a simple reissue of the previous edition would have only limited value.

For this third edition, all material has been verified, freshly researched, rewritten, edited, and updated to present accurate, timely accounts of all matters relevant to organization and function of the 49th Legislature.

For their advice and assistance, I thank my colleagues on the Legislative Council staff: Henry Trenk, Marilyn Novak, and Mary Ellen Randall of the Legislative Services Division; Sally Halverson and Mary Conklin of the library staff; Sharole Connelly, Business Manager; Robert B. Person, Director of Research; and Diana S. Dowling, Executive Director. They willingly shared their

# BILL DRAFTING MANUAL

The Bill Drafting Manual provides drafters with a set of uniform standards and instructions for bill drafting. It also includes suggestions on the mechanics, style, and technique of drafting to make the process more trouble-free. Sample bills and resolutions, plus a bill drafter checklist, are included.

This publication is free and available from the Legislative Council.

## CHAPTER 2 STYLE AND LANGUAGE

### 2-1 Introduction

Bills should be written in a simple, clear, and direct style, phrased for the common reader as well as for the political or legal expert.

A poorly drafted, ambiguous bill will waste the time of citizens affected, confuse those charged with its administration, lead to litigation, and likely fail to accomplish the purpose of the author. Good drafting requires concise wording that is understandable by a person who has no special knowledge of the subject.

If a paragraph in a bill has to be paraphrased to make it intelligible to the layman, it needs revising. In Montana, the common-law tradition has manifested itself in the timeworn, nonessential phrases and rhetorical flourishes found in our older legislative enactments. The suggestions contained in this chapter are designed to help the drafter avoid the most common faults in style and language evident in some of our present law.

As authority for basic rules of writing, the Legislative Council uses the latest edition of the U.S. Government Printing Office Style Manual and the Gregg Reference Manual, Fifth Edition, by William A. Sabin. Compounding of words is done according to the Style Manual.

Generally, the ordinary rules of grammar apply to legislative writing; however, in a few instances a departure from common usage is suggested.

### 2-2 Word Choice Generally

The objective in legislative drafting is to make the final product as precise and understandable as possible. There are hundreds of expressions, legal and otherwise, that can be simplified. In general:

- (1) never use a long word where a short one will do;
- (2) if it is possible to omit a word and preserve the desired meaning, always omit it; and
- (3) never use a foreign phrase, a scientific word, or a jargon word if there is an everyday English equivalent.

Remember that the bill must be both precise and clear. While striving for unstilted, clear, natural expression, the drafter must avoid becoming conversational. In conversation,

# BILL DRAFTING REQUEST INDEX

Bill drafting request forms are filed in the Legislative Council Legal Office. The requests are assigned an LC (Legislative Council) number which becomes the identifying number through the drafting and typing stages. Information from the bill drafting request is entered into the computer to produce the Bill Drafting Request Record Book Index.

The information is sorted and printed according to subject, requestor and drafter. Entries include the LC number, bill number, requestor, sponsor, subject, short title, and drafter.

Printed copies are available for use outside the capitol Distribution Center, in the Legal and Research offices of the Council, and the Council Library. Copies may also be purchased. Price is set according to the number of pages.

SPONSOR IS LISTED IN PARENTHESES IF DIFFERENT FROM REQUESTOR				BILL DRAFTING REQUEST RECORD BOOK INDEX MONTANA LEGISLATIVE COUNCIL 1985		PAGE RUN TIME RUN DATE	12 'B 07 11/19/84
* * APPLIES TO REQUESTOR'S 5-BILL LIMIT				SUBJECT		CRIMES AND CORRECTIONS	
* LC #	BILL #	REQUESTOR	(SPONSOR)	SUBJECT	SHORT TITLE	DRAFTER	
5		KOLSTAD, ALLEN		CR LG	CORONER QUALIFICATIONS AND EDUCATION	HEIMAN, LEE	
41		WANNING, DICK		CR AL	YOUTHS POSSESSING INTOXICATING SUBSTANCE, PARENTAL INTERFERENCE WITH ORDER	MACMASTER, JOHN	
87		NOT YET DETERMINED (INTERIM SUBCOMMITTEE NO. 2)		RE CR CV	ELIMINATING CIVIL REMEDY FOR TRESPASS AND NOTICE FOR CRIMINAL TRESPASS	DESMOND, BRENDA	
96		SHAW, JAMES		CR MI AL	AMEND DRINKING AGE LAWS TO AGE 21 TO CONFORM TO CONSTITUTIONAL AMENDMENT	HEIMAN, LEE	
100		SHAW, JAMES		CR MI AL	AMEND CONSTITUTION TO RAISE LEGAL DRINKING AGE TO 21	HEIMAN, LEE	
101		MANUEL, REX		CR LG	ALLOW PRIVATE PARTIES TO RUN JAILS, EXEMPT JAILS FROM FINANCING LIMITS	MACMASTER, JOHN	
126		NOT YET DETERMINED CODE COMMISSIONER		CC CV CR SA	GENERALLY AMEND TITLES 1, 2, 3, 5, 13, 25, 27, AND 45, MCA	MACMASTER, JOHN	
173		FULLER, DAVE		CR MI	(PREADJUDICATORY DETENTION OF YOUTH IN YOUTH CORRECTIONAL FACILITY)	HEIMAN, LEE	
179		HIMSL, MATT		CR	SENTENCING GUIDELINES COMMISSION ACT	GOMEZ, TOM	
200		THOFT, BOB		CR LG	(PROHIBITION IN GUN CONTROL ORDINANCE)	MACMASTER, JOHN	
202		CHRISTIAENS, CHRIS		CR	(FIREARM REGULATION TO CONFORM TO FEDERAL LAW)	GOMEZ, TOM	
227		SWIFT, BERNIE		CR	(APPEALS, FREQUENCY AND CONSOLIDATION)	MACMASTER, JOHN	
231		SWIFT, BERNIE		CR	(MINIMUM PART OF SENTENCE SERVED)	MACMASTER, JOHN	
241		CONNELLY, MARY ELLEN		ER MV	(DUI FELONY PER SE RULE)	MACMASTER, JOHN	
266		DANIELS, MARK		CR LAW CUL	(LAW ENFORCEMENT MUSEUM)	HEIMAN, LEE	
270		CONNELLY, MARY ELLEN		CR MV AL	(DUI FINES FOR ALCOHOL PREVENTION)	MACMASTER, JOHN	
281		WALORDON, STEVE		CR	(RAPE OR INCEST VICTIM COUNSELING COSTS)	GOMEZ, TOM	
284		WALORDON, STEVE		MI CR	(16 YEAR OLD RESPONSIBLE FOR DAMAGE)	PETESCH, GREG	

# INTERNAL REFERENCE LIST

The Internal Reference List is a computer-generated list of all Montana Code Annotated sections which refer to other MCA sections. This publication is used in bill drafting and provides the drafter with a quick source for finding all references to a certain section of the code in the event that such a section is to be repealed or amended.

This publication is free and available from the Legislative Council.

REFERENCES TO SECTION 1-1-202  
1-11-101                      3-1-605

REFERENCES TO SECTION 1-1-203  
7-1-4121

REFERENCES TO SECTION 1-1-215  
20-5-304                      20-7-420                      20-10-105                      87-2-102

REFERENCES TO SECTION 1-1-216  
3-1-302                      20-1-307                      20-25-306

REFERENCES TO SECTION 1-1-301  
60-7-204

REFERENCES TO SECTION 1-2-112  
7-32-4117                      15-7-311                      75-7-217

REFERENCES TO SECTION 1-4-102  
28-2-905                      70-20-202                      72-11-304

REFERENCES TO SECTION 1-5-101  
1-5-104

REFERENCES TO SECTION 1-5-103  
1-5-104

REFERENCES TO SECTION 1-5-108  
1-5-110                      70-21-203

REFERENCES TO SECTION 1-5-109  
1-5-110                      70-21-203

SAMPLE

# CODE SECTIONS AFFECTED LIST

Any Montana Code section that would be affected by the passage of a particular bill is listed on a printout titled the Code Sections Affected List. Bill drafters and amendments coordinators use this list to avoid conflicts, correct redundancies, and solve problems. The printout is comprised of two parts:

- 1) Bill drafts and introduced bills. All code sections which could be amended or repealed by **any** bill entered on the automated bill drafting system are listed.
- 2) Enrolled bills. Code sections affected by bills which have **passed** the legislature and have been sent to the Governor for his signature are listed.

The printout is available for use in the Legislative Council offices and library.

## INDEX OF ALL SECTIONS AMENDED, ENACTED, REPEALED, OR RENUMBERED (INCLUDES BILL NUMBERS FOR BILLS AMENDED OR ENROLLED ONLY)

SECTION NUMBER	ACTION	BILL NUMBER
1-1-216	AMENDED	LC 0822/01
1-2-108	AMENDED	HB 0015/ent
1-5-405	AMENDED	LC 0856/01
1-5-405	AMENDED	SB 0123/ent
1-12-104	AMENDED	HB 0346/ent
1-12-104	AMENDED	LC 0902/01
2-2-102	AMENDED	HB 0689/03
2-2-103	AMENDED	HB 0689/03
2-2-105	AMENDED	HB 0689/03
2-2-121	AMENDED	HB 0689/03
2-2-125	AMENDED	HB 0689/03
2-2-131	AMENDED	HB 0689/03
2-2-132	AMENDED	HB 0689/03
2-4-102	AMENDED	LC 1391/01
2-4-102	AMENDED	SB 0451/02
2-4-302	AMENDED	HB 0037/04
2-4-302	AMENDED	LC 0020/01
2-4-303	AMENDED	LC 0022/01
2-4-305	AMENDED	HB 0035/02
2-4-305	AMENDED	LC 0022/01
2-4-305	AMENDED	LC 0020/01
2-4-305	AMENDED	LC 0023/01
2-4-305	AMENDED	SB 0045/ent
2-4-306	AMENDED	LC 0022/01
2-4-306	AMENDED	LC 0010/01
2-4-312	AMENDED	LC 0020/01
2-4-313	AMENDED	HB 0036/ent
2-4-313	AMENDED	LC 0022/01
2-4-313	AMENDED	LC 0019/01
2-4-314	AMENDED	HB 0046/ent
2-4-314	AMENDED	LC 0022/01
2-4-314	AMENDED	LC 0323/01
2-4-401	REPEALED	LC 1391/01
2-4-401	REPEALED	SB 0451/02
2-4-402	AMENDED	LC 0020/01
2-4-402	AMENDED	LC 0022/01
2-4-402	AMENDED	LC 0021/01
2-4-402	AMENDED	SB 0045/ent
2-4-403	AMENDED	LC 0010/01
2-4-405	AMENDED	SB 0040/02
2-4-412	AMENDED	HB 0067/ent
2-4-412	AMENDED	LC 0022/01
2-4-506	AMENDED	HB 0092/ent
2-4-506	AMENDED	LC 0022/01
2-4-506	AMENDED	LC 0324/01
2-7-102	REPEALED	HB 0346/ent
2-7-102	REPEALED	LC 0902/01
2-7-103	AMENDED	HB 0346/ent
2-7-103	AMENDED	LC 0902/01
2-7-503	AMENDED	LC 0338/01
2-7-503	AMENDED	SB 0063/ent
2-7-514	AMENDED	LC 0338/01
2-7-521	AMENDED	HB 0306/02

SAMPLE

BILLS

Each version of a bill, whether introduced, reported out of committee, passed by the chamber of origin, or approved by both chambers; plus all second-chamber amendments, are available for purchase through the Distribution Center in the capitol basement. Price is set according to the number of pages (Joint Rule 8-8).

The Legislative Council keeps one copy of each reading version on file in Room 138 of the capitol. Other copies are distributed to the Legislative Information Office, state agencies, public libraries, and County Clerk and Recorder offices.

49th Legislature

LC 0001/01

1 BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A MUNICIPAL  
5 COURT JUDGE AND HIS LAW PARTNERS TO PRACTICE LAW BEFORE ANY  
6 COURT OF THIS STATE EXCEPT THE MUNICIPAL COURT OF THAT  
7 JUDGE; AMENDING SECTIONS 3-1-601, 3-1-603 AND 3-1-604, MCA."

8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 3-1-601, MCA, is amended to read:

11 "3-1-601. Certain officers not to practice law or  
12 administer estates. (1) No Except as provided in 3-1-604, no  
13 justice or judge of a court of record or clerk of any court  
14 may practice law in any court in this state or act as  
15 attorney, agent, or solicitor in the prosecution of any  
16 claim or application for lands, pensions, or patent rights  
17 or other proceedings before any department of the state or  
18 general government or any court of the United States during  
19 his continuance in office.

20 (2) Neither the court administrator nor any assistant  
21 may practice law in any of the courts of this state while  
22 holding his position.

23 (3) No justice or judge of a court of record may act  
24 as administrator or executor of any estate for  
25 compensation."

# HEARING CALENDARS

Hearing calendars are available through the computerized Bill Status Inquiry System. By selecting Option 4, committee hearing schedules for specific committees can be retrieved. The calendars include the committee name, meeting date and time, and a list of all bills which will be heard.

By selecting Option 5 or 6 on the Bill Status Inquiry System, a list of all hearings taking place on a particular day can be retrieved. This option provides an overview of all committee hearing activity by chamber and date.

Printed copies of hearing schedules are available from the Legislative Information Office and the Distribution Center.

## HEARING CALENDAR

January 21, 1982

### HOUSE

**Agriculture** 12:30p.m. Room 436

HB 320 Requiring sheep shearers to be vaccinated for cow pox.

HB 642 Requesting that the government payoff to peanut farmers be increased to \$37,000,000 and requiring an immediate effective date.

**Education** 1:30p.m. Room 129

HB 120 An act removing the requirement that old maid school teachers may entertain gentlemen callers, other than their fathers or their brothers, after 6 p.m.

---

### SENATE

**Finance and Claims** 8:00a.m. Room 108

HB 32 Appropriating \$42,000 to the Capitol renovation for an employees lounge.

**Judiciary** 10:00a.m. Room 331

SB 42 An act removing all references in the code to the terms attorney or lawyer or barister.

SB 400 Requiring all Justice of the Peace to be lawyers.

SAMPLE



# HOUSE AND SENATE CALENDARS

The Secretary of the Senate and the Chief Clerk of the House prepare the daily calendars of bills to be heard by their respective Committee of the Whole. The calendar lists the bill number, committee which reported on the bill, chief sponsor, short title, and, when necessary, which report is to be considered (C.C.—Conference Committee; S.A.—Senate Amendments).

Second and third reading information can also be found online through the Bill Status Inquiry System. Accessing Option 1, Bill Status Data, reveals the complete history of a bill.

The calendars are available from the Legislative Information Office, the Secretary of the Senate, or the Chief Clerk of the House. Bill status terminals are located in the Senate Lobby area of the capitol.

## BILLS ON 2ND READING

C.C. SB 325	(SA)	STEPHENS (DUSSAULT)	REVISING THE SALARY SCHEDULE OF A YOUTH COURT PROBATION OFFICER.
C.C. HB 212	(JU)	KEEDY	TO CLARIFY PROCEDURE WHEN MENTAL COMPETENCY OF THE ACCUSED IS AT ISSUE....
F.C.C.HB 558	(SA)	D. BROWN	TO REVISE THE COMPENSATION PROVISIONS RELATING TO DEPUTY SHERIFFS AND UNDERSHERIFFS...
F.C.C.HB 652	(NR)	CONROY	TO REMOVE THE PROHIBITION OF DISPOSAL OF CERTAIN RADIOACTIVE MATERIALS ENACTED BY INITIATIVE 84....
S.A. HB 33	(LG)	AZZARA	TO PROVIDE FOR MUNICIPAL ANNEXATION OF HIGH-DENSITY LAND UNDER CERTAIN CONDITIONS.
G.A.HB 97	(SA)	FEDA	TO CLARIFY AND REVISE THE DEFINITIONS AND THE PROCEDURES FOR REFUNDING MEMBERS' CONTRIBUTIONS, ETC., USED IN THE MONTANA STATE GAME WARDENS' RETIREMENT SYSTEM.
G.A. 507	(LG)	AZZARA	TO ALLOW THE REMAINING TRANSPORTATION BOARD MEMBERS TO FILL VACANCIES ON THE TRANSPORTATION BOARD....
G.A.HB 702	(BI)	WINSLOW	TO LIMIT THE MAXIMUM FEE THAT THE DEPARTMENT OF ADMINISTRATION CAN CHARGE FOR RECEIVING AND PROCESSING ELEVATOR CONDITION REPORTS.
G.A.HB 765	(LG)	DONALDSON	TO PROVIDE FOR MUNICIPAL REGULATION OF MUNICIPALLY OWNED UTILITIES....

## BILLS ON 3RD READING

S.A.HB 233	(SA)	MOORE	TO SUBMIT TO THE ELECTORS AN AMENDMENT TO THE MONTANA CONSTITUTION TO ADD A SECTION AUTHORIZING A PERMANENT LEGISLATIVE COMMITTEE WITH AUTHORITY OVER STATE FISCAL MATTERS....
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# STATUS OF INTRODUCED BILLS

During the session, the status of legislation is available through the computerized Bill Status Inquiry System. Information on the system includes bill status data, committee hearing calendars, sponsor lists, plus House and Senate committee hearing calendars by date. Computer terminals are located near the Senate Lobby and in the Legislative Information Office.

Bill status data entries include the bill number, sponsor, short title, and complete record of actions on the bill or resolution. Sponsor list entries include bill number, short title, and current status only. For committee hearing information see p.10.

The daily status of each chamber is printed and distributed by the capitol Distribution Center. Each status includes a summary of activity in that house, including the number of bills and resolutions introduced, transmitted, killed, or signed by the Governor. Price is set according to the number of pages (Joint Rule 8-8).

HELENA, MONTANA FEBRUARY 11, 1984		STATUS OF SENATE BILLS 22ND LEGISLATIVE DAY										SENATE CHAMBERS STATE CAPITOL	
BILL	SPONSOR	TITLE/SPECIAL ACTION	INTRO	COMM	HEARING	REPT	2ND	3RD	TRANS	RET	GOV	EDDATE	
1	STEPHENS	VETS PREFERENCE REPEALER	S 10-1 PLACED ON 2ND READING	JUS	10-2	10-5	10-6						
2	MAZUREK	VETS PREFERENCE SUBCOMMITTEE #4 RETURNED WITH AMEND FREE CONFERENCE COMMITTEE NEW FREE CONFERENCE COMM	S 10-1 N 10-7 S S H S N	JUS JUH  FCC NFC NFC	10-2 10-7	10-4 10-8	10-5 10-9 10-11 10-11 10-11 10-12 10-12	10-6 10-10 10-11 10-11 10-12 10-12	10-7	10-10			
			3RD READ-NEW FREE CC 98-1										
3	AKLESTAD	VETS PREFERENCE DISABLED AND HANDICAPPED	S 10-1	JUS	10-1	REFERRED TO JUDICIARY COMMITTEE							
4	LYNCH	SPECIAL PLATES FOR VETERANS RETURNED WITH AMEND GOVERNOR'S AMENDMENTS	S 1-7 N 1-24 S S N	TAS HIH	1-11 2-1	1-19 2-7	1-21 3-1 3-4 3-22 4-1	1-24 3-2 3-7 3-22 4-4	1-24	3-2	3-14	4-12	
			SIGNLD BY GOVERNOR										
5	MCCALLUM	GOVERNOR AND LT. GOVERNOR SEPARATE VOTED OFFICES	S 2-3	STS	2-9	2-9	COMMITTEE REPORT DO PASS AS AMEND						
6	LYNCH	LICENSES FOR MIGRATORY AND UPLAND GAME BIRDS	S 2-3	FGS	2-15	2-19	ADVERSE COMMITTEE REPORT ADOPTED						
7	GRAHAM	DISCLOSURE OF PERSONAL ASSETS-ELECT. OFF. REPEAL	S 2-2	STS	2-7	2-14	2-16	2ND READ DO PASS 29-19					

SAMPLE

SAMPLE

Following the session, the *History and Final Status of Bills and Resolutions* is published. This volume combines the bill status data with the sponsor list, the subject index, and the summary of activity. Copies are available from the Legislative Council.

HB 318 -- MANUEL -- PERMITTING A COUNTY TO LEVY A TAX ON CERTAIN PROPERTY WITHIN THE COUNTY FOR GENERAL FIRE CONTROL ACTIVITIES AND TO LEVY A COUNTYWIDE TAX FOR FIRE EMERGENCIES, AMENDING SECTION ..., AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

INTRODUCED: 01/18/83

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 01/18/83

HEARING: 1/27/83

REPORT: 02/07/83, DO PASS

2ND READING: 02/10/83, DO PASS AYES: 69; NAYS: 20

3RD READING: 02/12/83, DO PASS AYES: 79; NAYS: 20

TRANSMITTED TO SENATE: 02/12/83

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 02/12/83

HEARING: 3/3/83

REPORT: 03/04/83, BE NOT CONCURRED IN. REPORT ADOPTED.

BILL KILLED

HB 319 -- MANUEL -- PERMITTING A COUNTY GOVERNING BODY TO ENTER INTO MUTUAL AID AGREEMENTS FOR FIRE PROTECTION; ... AND PROVIDING AN EFFECTIVE DATE.

INTRODUCED: 01/18/83

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 01/18/83

HEARING: 1/27/83

REPORT: 02/07/83, DO PASS, AS AMENDED

2ND READING: 02/09/83, DO PASS AYES: 90; NAYS: 0

3RD READING: 02/11/83, DO PASS AYES: 92; NAYS: 6

TRANSMITTED TO SENATE: 2/11/83

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 02/12/83

HEARING: 3/3/83

REPORT: 3/10/83, BE CONCURRED IN, AS AMENDED

2ND READING: 03/12/83, BE CONCURRED IN, AS AMENDED AYES: 46; NAYS: 0

3RD READING: 03/15/83 AYES: 48; NAYS: 0

RETURNED TO HOUSE WITH AMENDMENTS: 03/15/83

2ND READING: 03/31/83, BE NOT CONCURRED IN AYES: 80; NAYS: 0

CONFERENCE COMMITTEE APPOINTED: 03/31/83

CONFERENCE COMMITTEE DISSOLVED: 4/8/83

FREE CONFERENCE COMMITTEE APPOINTED: 4/9/83

FREE CONFERENCE COMMITTEE REPORT: 4/11/83

#### HOUSE

2ND READING: 04/13/83, ADOPTED AYES: 94; NAYS: 0

3RD READING: 04/14/83, ADOPTED AYES: 93; NAYS: 0

#### SENATE

2ND READING: 04/15/83, BE ADOPTED AYES: 49; NAYS: 0

3RD READING: 04/16/83, BE ADOPTED AYES: 48; NAYS: 0

TRANSMITTED TO GOVERNOR: 04/21/83

SIGNED: 4/25/83, CHAPTER 615

HB 320 -- HAMMOND -- TO REVISE THE METHOD BY WHICH THE DEPARTMENT OF HIGHWAYS DISPOSES OF REAL PROPERTY; TO RAISE THE VALUE OF REAL PROPERTY THAT CAN BE SOLD AT PRIVATE

# VOTES

Votes of the Committee of the Whole are kept by the Secretary of the Senate and the Chief Clerk of the House during the session. Copies of these votes are available for use at the Legislative Information Office and the Council main office. After session, votes are transferred to the Secretary of State's office. Votes are published in the House and Senate Journals and the History and Final Status.

Votes of standing committees are available from the Legislative Information Office or the committee secretaries during the session. After session, committee minutes and votes are transferred to the Montana Historical Society. Copies of the minutes are available from the Legislative Council Library and the State Law Library.

RSN: 422		MONTANA SENATE		SR 352			
47TH SESSION		49 YEAS		0 NAYS		1 EXC	
PS 3RD				0 N/V		2/13/81 3:29 PM	
Y	ARLESTAD	Y	GALT	Y	KEATING	Y	REGAN
Y	ANDERSON	Y	GOODOVER	Y	KOLSTAD	Y	RYAN
Y	BERG	Y	GRAHAM	Y	LEE	Y	SEVERSON
Y	BLAYLOCK	Y	HAFFERMAN	Y	MANLEY	Y	SMITH
Y	BOYLAN	Y	HAFFEY	E	MANNING	Y	STEPHENS
Y	BROWN, B.	Y	HAGER	Y	MAZUREK	Y	STIMATZ
Y	BROWN, S.	Y	HALLIGAN	Y	MCCALLUM	Y	STORT
Y	CONOVER	Y	HAMMOND	Y	NELSON	Y	THOMAS
Y	CRIPPEN	Y	HAZELBAKER	Y	NORMAN	Y	TOWE
Y	DOVER	Y	HEALY	Y	ODHSMER	Y	TVEIT
Y	ECK	Y	HIMSL	Y	O'HARA	Y	VAN VALKENBURG
Y	ELLIOTT	Y	JACOBSON	Y	OLSON	Y	TURNAGE, PRES.
Y	ETCHART	Y	JOHNSON				

HOUSE OF REPRESENTATIVES

AYES - 82			
ANDERSON	DUER	KING-WASHINGTON	SCRUGGS
ATCHLEY	ELLIS	KISBER	SEVERANCE
BELL	ELSEA	LOVE	SHIRLEY
BEWLEY	FORD	MCAFFEE	SHOCKLEY
BIVENS	FRENSLEY	MCKINNEY	SIR
BRAGG	GAFFORD	MCNALLY	SMITH
BREWER	GAIA	MILLER	STAFFORD
BUCK	GILL	MONTGOMERY	STALLINGS
BURNETT	HARRILL	MOORE-SULLIVAN	STARNES
BYRD	HASSELL	MURPHY	TANNER
CHILES	HENRY	MURRAY	TURNER
CLARK-DAVIDSON	HERNDON	NAIFEH	WALLACE
CLARK-SUMNER	HILLIS	NANCE	WEBB
COBB	HUDSON	NAPIER	WHEELER
COPELAND	HURLEY	OWEN	WHITSON
COVINGTON	HUSKEY	PERCY	WILLIAMS
DAVIDSON	JARED	PHILLIPS	WIX
DAVIS-GIBSON	JOHNSON	PICKERING	WOLFE
DAVIS-HAMILTON	JONES	RHINEHART	WOOD
DAVIS-PICKETT	KELLEY	ROBERTSON	SPEAKER
DEBERRY	KENT		

NOES - 8

DEPRIEST	DREW	ROBINSON-DAV	USSERY
DILLS	KERNELL	ROBINSON-HAM	WORK

PRES NOT VOTING - 4

DISSPAYNE	KING-SHELBY	ROBINSON-WASH	YELTON
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NOT VOTING - 5

DRAIN	E MOORE-SHELBY	PRUITT	WITHERS
DIXON			

SAMPLE

# SUBJECT INDEX

As bills are introduced into session, a subject index is compiled and printed. This index, updated daily, lists all introduced bills under standard subject headings. Using this tool, bill numbers can be easily located when only the subject of the bill is known.

The Subject Index is available for use in all Council offices. It can also be purchased at the capitol Distribution Center. Price is set according to the number of pages (Joint Rule 8-8).

## ADMINISTRATIVE RULES

### Adoption

- prevention when rule is substantially identical to defeated legislation, SB 292
- requirements, revision, SB 181

- Air quality emission standards regarding fluoride and particulate emissions, repeal of conflicting rule, HJR 22

- Cigarettes, sale of untaxed -- amendment to reduce paperwork concerning, HJR 4

- Economic impact statements, revision of requirements, SB 181, HB329, HB 586

- Fluoride on forage, repeal of present and adoption of new standard, SJR 17

- Hearings, notice requirements changed, HB 252

- Legislative review, HB 39

- Legislators, notice of hearings required when, HB 252

- Omissions, HB 38

- Register, omissions, HB 38

- Repeal by administrative code committee, constitutional amendment for, HB 496

- Revision and clarification of provisions, HB 74

### Suspension

- legislature, by poll of -- constitutional amendment for, HB 40

- temporary, by administrative code committee, SB 273

## ADOPTION

- Records, revision of laws generally, SB 245

- Relinquishment and placement of children without agency involvement, SB 267

- Revision of provisions, SB 267

- Uniform Adoption Act, revision, SB 267

## ADVERTISING

- Drug paraphernalia, a criminal offense, HB 300

- Handicapped persons, parking permit provisions for, SB 79

- Housing, discrimination laws to conform to federal requirements, SB 57

- Outdoor, See OUTDOOR ADVERTISING

- Pregnancy, adverse effects of alcohol and certain over-the-counter drugs, HJR 6

# HOUSE AND SENATE JOURNALS

The House and Senate Journals provide a record of all actions taken on bills and resolutions introduced into the session. The journals are printed daily during the session and they set forth the text of communications between houses, committee reports, transmittal correspondence to and from the executive, plus votes on motions, amendments, and bills. The journals are not verbatim and do not contain a transcript of debate in the Committee of the Whole. Daily journals can be purchased from the capitol Distribution Center.

After session, the daily journals are published as a set by the Legislative Council. The set includes a two part index which contains a complete subject index and a list of each bill and resolution with corresponding page numbers to journal entries. Bold face entries indicate those pages where votes appear.

The journals are furnished free of charge to each County Clerk and Recorder, the State Library, and the State Law Library. Subscriptions to the journal are available through the Legislative Council.

## HOUSE BILLS

113

- 70 Introduced by Pavlovich: A bill for an act entitled: "An act amending section 27-6-206, MCA, to exempt health care providers not in private practice from payment of the medical malpractice panel assessment."

**House Page No.** 16, 26, 49, 790, 831, **891, 892**, 897, **915**, 1573, **1743**, 1750, 1751, 1834, 1932, 1951, 1989, 2185, 2193, 2199.

**Senate Page No.** 674, 682, 1050, 1156, 1179, **1240, 1241, 1256**, 1407, 1410, 1538, 1540, 1777, 1796.

- 72 Introduced by Harper: A bill for an act entitled: "An act setting the date for the primary election and for the presidential preference primary election; amending sections 13-1-107 and 13-10-401, MCA; and repealing section 13-10-402, MCA."

**House Page No.** 16, 53, 57, 73, 80, **88**.

## PROCEEDINGS

EIGHTY-FIRST LEGISLATIVE DAY

1459

The Senate Amendments to the following House Bills were on 4/10/81, concurred in:

Senate Amendments to House Bill No. 415, introduced by Sivertsen (94-0)

Senate Amendments to House Bill No. 654, introduced by Menahan (91-0)

The following House Joint Resolution was on 4/10/81, passed and transmitted to the Senate for concurrence:

House Joint Resolution No. 61, introduced by Waldron (86-8)

### MOTIONS

Senator Lee moved that the Senate reconsider its action taken on rejecting the House Amendments to Senate Bill No. 392. Motion carried by the following vote:

Ayes: Berg, Blaylock, Boylan, B. Brown, S. Brown, Crippen, Eck, Galt, Goodover, Graham, Hafferman, Hager, Halligan, Himsl, Johnson, Kolstad, Lee, Manley, Manning, Mazurek, Nelson, Ochsner, O'Hara, Ryan, Severson, Smith, Story.

Total 27

Noes: Aklestad, Anderson, Conover, Elliott, Etchart, Haffey, Hammond, Hazelbaker, Healy, Jacobson, Keating, McCallum, Norman, Olson, Regan, Stephens, Stimatz, Tveit, Van Valkenburg, Mr. President.

Total 20

Excused: Thomas, Towe.

Total 2

Absent or not voting: Dover.

Total 1

Senator Stephens moved, duly carried, that the House Amendments to Senate Bill Nos. 139, 270, 272, 287, 288, 305, 335, 347, 362, 381, 442, 449, 458, 463, 475, 479, and 480 be placed on Third Reading this day.

### FIRST READING OF BILLS

The following House Joint Resolution was introduced, read first time and referred to committee:

HJR 61, introduced by Waldron, Holliday, Hurwitz, Fabrega, Roush, Bertelsen, Devlin, Switzer, Iverson, Bardanoue, Roth, Kitselman, Dozier, Asay, Kemmis, Dussault, Shontz, Kessler, McBride. Referred to Committee on Local Government.

### THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Joint Resolution No. 34 was passed by the following vote:

Ayes: Anderson, Berg, Blaylock, Boylan, B. Brown, S. Brown, Conover, Crippen, Eck, Elliott, Etchart, Galt, Goodover, Graham, Hafferman, Haffey, Hager, Halligan, Hazelbaker, Healy, Himsl, Jacobson, Johnson, Keating, Kolstad, Lee, Manley, Manning, Mazurek, McCallum, Nelson, Norman, Ochsner, O'Hara, Olson, Regan, Ryan, Severson, Smith, Stephens, Stimatz, Story, Tveit, Van Valkenburg, Mr. President.

Total 45

# LEGISLATIVE REVIEW

The first report published following the completion of a regular session is the Legislative Review. This publication provides a summary of all bills which passed both houses and were signed by the Governor. The Legislative Review is organized by chapter number, with bill number, chief sponsor, summary of provisions, effective date, date signed by the Governor, and MCA sections affected by passage, included in each entry.

Appropriations bills and resolutions are listed separately.

The index is comprised of a subject index, a code sections affected list, chapter number to bill number and bill number to chapter number tables, and effective date tables, for easy reference. This index is used as a temporary index until the revised MCA index is available.

The Legislative Review is free to all subscribers to the Montana Code Annotated. Nonsubscribers are charged a nominal fee.

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
Summary of Provisions				
1	HB 32	Marks By request of the Legislative Council	1/29/81	1/29/81
		Relates to compensation of members of the Legislature serving on Legislative committees when the Legislature is not in session.		
		Amends: 5-2-302		
2	HB 77	Harper By request of Department of Labor and Industry	10/1/81	2/2/81
		Eliminates the penalty for late unemployment contribution reports.		
		Amends: 39-51-1301		
3	HB 49	Gould By request of Department of Labor and Industry	10/1/81	2/10/81
		Limits the experience rating computation of employers to the most recent 3 fiscal years ending September 30 of each year, and adjusts accordingly time requirements involving experience rating requirements.		
		Amends: 39-51-1121, 39-51-1213, 39-51-1214, 39-51-1215, 39-51-1217		

SAMPLE



# SESSION LAWS

The complete text of every bill which has been passed by the legislature and signed by the Governor is published in hard-cover under the title: Laws of Montana (year). The set is popularly referred to as the "Session laws". The Secretary of State's office assigns each bill a chapter number chronologically, with Chapter 1 being the first bill passed and signed.

The full text of appropriations bills and resolutions passed are also printed. These measures do not receive chapter numbers.

All initiatives, referendums, and constitutional amendments brought before the voters during the interim also appear in the Session Laws.

The following organizations receive a free copy of the Session Laws: 1) the State Library; 2) the Montana Historical Society; 3) the State Law Library; 4) the offices of the County Clerk and Recorder, County Attorney, and the Clerk of District Court; 5) custodial and institutions; 6) university and community college libraries; 7) most large public libraries; 8) Supreme Court and District Court judges.

Subscriptions to the Session Laws are available from the Legislative Council.

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MONTANA SESSION LAWS CHAPTER 78

## CHAPTER NO. 78

AN ACT TO PERMIT THE DEPARTMENT OF REVENUE TO ACCEPT A CASH COMPLIANCE BOND FOR TEMPORARY OPERATION BY A SPECIAL FUEL USER AND REQUIRING THE USER TO OBTAIN A PERMANENT BOND OR FORFEIT THE TEMPORARY BOND.

*Be it enacted by the Legislature of the State of Montana:*

Section 1. **Temporary cash compliance bond.** (1) A special fuel user subject to the licensing requirements of this part may obtain a temporary 30-day operating permit by posting a \$100 cash compliance bond on each vehicle at any weigh station, or with any person authorized by the department of highways to issue a cash compliance bond.

(2) If the user files the bond required by 15-70-304, files a special fuel tax return for the 30-day period, and otherwise complies with the requirements of this part, the \$100 payment received for the temporary permit must be returned to the user. If the user fails to file the bond required by 15-70-304 or the special fuel tax return for the 30-day period or fails to comply with the requirements of this part, the \$100 payment is forfeited to the state.

(3) The temporary permit is issued subject to the same restrictions and requirements as the annual permit.

SAMPLE

# MONTANA CODE ANNOTATED

The Montana Code Annotated is the systematic arrangement of all permanent state statutes (laws) currently in force in Montana. The MCA is published in two parts: the Code itself and the Annotations to the Code. A new edition of the Code is printed every odd-numbered year with new laws added, repealed laws deleted, and amended statutes updated. The Legislative Council legal staff is responsible for the codification process.

An entry in the MCA includes the statute, its legislative history, plus any compiler's comments and cross-references to related code sections.

The second part of the MCA, the Annotations, incorporate background materials relating to the statutes, including pertinent official comments, case notes, references to administrative rules, digests of Attorney General's opinions, citations to law review articles, bar publications, and legal encyclopedias. An explanation of each of these items is found in the preface to Volume I of the Annotations.

The Code and the Annotations can be purchased from the Legislative Council. The MCA is available in hard-copy and on microfiche. Certain titles are printed separately and can be purchased in pamphlet format.

The Annotations are only available in hard-copy. Titles can be purchased in pamphlet format or as a complete set.

## CODES

### **32-1-235. Penalty for failure to make report within five days.**

If any bank neglects to make out or transmit the statements required by this chapter within 5 days after call, it shall be subject to a penalty of \$20 for each day in default after the period respectively required by this chapter that it may delay to make and transmit any such statements. Should any bank delay for a period of 1 month to make out and transmit the statements and proofs of publication required by this chapter beyond the period when the same is required to be made or willfully violate any of the provisions of this chapter with reference to said statements and reports, the directors shall be personally responsible for all the debts of such corporation contracted previous to and during the period of such neglect.

**History:** En. Sec. 66, Ch. 89, L. 1927; re-en. Sec. 6014.70, R.C.M. 1935; R.C.M. 1947, 5-706.

#### **Cross-References**

Corporations — liability of directors in certain cases, 35-1-409.

**32-1-236. False statements and entries considered felony.** Every officer or other person authorized by this chapter who willfully and knowingly makes any false statement of facts, statement of account, or report and every officer, agent, or clerk of any bank who willfully and knowingly makes any false entries in the books of such bank or knowingly subscribes or exhibits false papers with the intent to deceive any person authorized to examine such bank and every person authorized by the provisions of this chapter to make statements or reports who willfully and knowingly subscribes or makes any false statement or report is guilty of a felony and upon conviction thereof shall be imprisoned in the state prison for a term of not less than 1 or more than 10 years or be fined an amount not to exceed \$50,000, or both.

**History:** En. Sec. 67, Ch. 89, L. 1927; re-en. Sec. 6014.71, R.C.M. 1935; amd. Sec. 15, Ch. 71, L. 1977; R.C.M. 1947, 5-707; amd. Sec. 7, Ch. 198, L. 1981.

## ANNOTATIONS

### 32-1-235. Penalty for failure to make report within five days.

#### Collateral References

Banks and Banking ⇨ 19.  
9 C.J.S. Banks and Banking § 38.

### 32-1-236. False statements and entries considered felony.

#### Case Notes

*Intent to Deceive:* In a prosecution against the cashier of a state bank under section 6077, R.C.M. 1921 (now repealed), for knowingly exhibiting or subscribing false papers, with the intent to deceive the State Bank Examiner, it is essential to prove beyond a doubt the intent to deceive. *St. v. Asal*, 79 M 385, 256 P 1071 (1927). See also *St. v. Arnot*, 79 M 417, 256 P 1082 (1927).

*Director's Duty to Report:* The "making" of a report by a state bank to the Superintendent of Banks (now Department of Commerce) as required by section 6071, R.C.M. 1921 (now repealed), comprehended any acts necessary to effectuate the purpose of the requirement. The attestation by a director is essential to the completion thereof and to that extent imposes upon him the duty of making the report. By attesting to the report he vouches for the absolute truthfulness of the report. An indictment charging him with a violation of the statute in so making a false report states a public offense. *In re Lockhart*, 72 M 136, 232 P 183 (1924).

#### Collateral References

Banks and Banking ⇨ 20, 61.  
9 C.J.S. Banks and Banking §§ 39, 148 through 154.  
10 Am. Jur. 2d Banks §§ 234 through 238.

Construction and application of statutes relating to civil liability of directors, officers or employees of bank, in case of false reports or statements. 114 ALR 472.

Criminal offense of making false statement or report as to assets or condition of bank. 85 ALR 824.

Abatement upon death, of cause of action to enforce personal liability of corporate officer, director or trustee, because of failure to file reports or making false reports. 79 ALR 1517, 1524.

## Part 3

### Formation and Reorganization

#### Part Collateral References

Banking corporation's power to enter into partnership or joint venture. 60 ALR 2d 917.

### 32-1-301. Organization and incorporation — articles of agreement.

#### Collateral References

Banks and Banking ⇨ 22 through 34, 292, 312.  
9 C.J.S. Banks and Banking §§ 41 through 56, 959, 1046.  
10 Am. Jur. 2d Banks §§ 8, 20, et seq.

State banks, insurance companies, or building and loan associations, which are members of federal reserve banks or similar federal agencies or national banks, as within state social security or unemployment compensation act. 165 ALR 1250; 145 ALR 1074.

Powers of bank president or vice-president. 67 ALR 970; 1 ALR 693.

# INTERIM DIRECTORY OF LEGISLATIVE COMMITTEES

The Interim Directory of Legislative Committees summarizes each resolution calling for a legislative study. It also lists the members of each committee along with the Legislative Council staff assigned to that committee.

The directory also lists:

- 1) members of the statutory committees receiving Legislative Council staff assistance;
- 2) members of the permanent legislative committees;
- 3) Montana's legislative representatives on the Council of State Government and National Conference of State Legislature committees;
- 4) membership on other committees associated with the legislature.

## STUDY COMMITTEE ON CORRECTIONS POLICY AND FACILITY NEEDS

Study Resolution:

HJR 65 and HJR 59

The Study Committee on Corrections Policy and Facility Needs has been assigned to study Montana's overall correction policy and the related prison needs. The Committee has been charged to consider at least the following: the prison release and furlough programs; prerelease programs and facilities; questions about the maximum size of a prison facility that should be built in one location; the proper use of community and forest work camp programs and the relationships of such programs to prison needs; the long-term need for prison facilities in the state; the long-term needs for juvenile correction and evaluation facilities; and the health care of prisoners. The Committee is also charged to study sentencing of convicted criminal defendants and to determine if uniformity in sentencing is a desirable goal for sentencing throughout Montana. An additional charge to the Committee is to consult with the Department of Institutions in the development of the comprehensive plans set forth in HB 483 relating to the appropriations of \$3 million as set forth in item 7 of the appropriations to the Department's central office.

Study Committee Membership:

Sen. Bob Brown  
Sen. Stan Stephens  
Sen. Thomas Towe  
Sen. Fred Van Valkenburg

Rep. Budd Gould  
Rep. Andrea Hemstad  
Rep. Michael Keedy  
Rep. Dan Yardley

Staff:

Kathleen Harrington  
Dennis M. Taylor

SAMPLE

# INTERIM STUDY FINAL REPORTS

The Legislative Council prepares and publishes all final reports of the joint subcommittees of legislative standing committees. The reports contain a copy of the joint resolution requesting the study, committee membership and staff, actions, findings and recommendations, plus any proposed legislation to be brought before the legislature.

Final reports are free and available from the Legislative Council. A bibliography of research publications is found in the **Introduction to the Montana Legislative Council**.

## FINDINGS AND CONCLUSIONS

The Committee on Corrections Policy and Facility Needs found that:

- 1) There appears to be no immediate need for additional residential facilities at Montana State Prison; should the prison population increase so as to require additional facilities, careful consideration should be given to residential alternatives outside the prison;
- 2) Work rehabilitation and job training should be considered as worthwhile alternatives; and
- 3) The Committee views with alarm the increased incarceration rates recently experienced in Montana.

## SUMMARY OF RECOMMENDATIONS - CORRECTIONS

The Committee on Corrections Policy and Facility Needs recommends to the 47th Legislature:

- 1) That the Correctional Needs Report from the Department of Institutions be commended to the 47th Legislature for their consideration; and
- 2) That this state make a major commitment to adult probation and parole.

## SUMMARY OF RECOMMENDATIONS - SENTENCING

The Committee on Corrections Policy and Facility Needs recommends to the 47th Legislature:

- 1) That plea bargaining be an open process with a written record;
- 2) That the state be allowed to request an appellate review of a legal or a deferred sentence;
- 3) That the maximum period for deferred imposition of a sentence for a felony be increased from 3 to 5 years;
- 4) That fines and assessment of costs in felony criminal cases be allowed and community service as a condition of deferred or suspended sentence be allowed;
- 5) That additional sentences for crimes committed with a dangerous weapon run consecutively with the sentence provided for that offense;
- 6) That there be increased punishment of persons who have been convicted of three separate felonies;

SAMPLE

# The INTERIM

The Interim is a newsletter published by the Legislative Council the first Friday of each month during the period between sessions. It gives a summary of activities of the interim study and permanent legislative committees. It is published for legislators, their staff, agencies, and state government department heads.

The publication is available to legislators and to the public from the Council while supplies last. There is a nominal charge for mailed copies.



NOVEMBER 1982

VOL. III, NO. 18

## INTERIM COMMITTEES

### FISH AND GAME

#### FINAL RECOMMENDATIONS DECIDED

The Joint Subcommittee on Fish and Game held its final meeting of the interim on October 14. The meeting was primarily a work session to develop the Committee's final report.

A contingent from Cooke City testified that the "bear problems" being reported in their city were not very significant. They requested more cooperation from the Department of Fish, Wildlife, and Parks.

The Committee made several formal "findings" regarding the Department's staffing, management and land acquisition policies. A recommendation to increase the number of wardens to 95 was adopted. Bill drafts to be included in the report pertain to amending the statutes regulating outfitters, and to amending the code sections restricting Fish, Wildlife, and Parks employees from testifying before the Legislature.

The final report should be available in December.

### BUSINESS

#### RECOMMENDATIONS SET IN OCTOBER MEETING

October was an active month for the Joint Subcommittee on Business. It co-sponsored the Forum on Environmental Regulation and the Economy with the EQC on October 4 and 5. The Forum was very productive and quite a success.

The Committee also held its final meeting on October 6 in Helena. Contents and format for the final report were the main order of business. The Committee adopted about a

SAMPLE



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